

1-1 By: Patrick S.B. No. 1720
1-2 (In the Senate - Filed March 8, 2013; March 25, 2013, read
1-3 first time and referred to Committee on Higher Education;
1-4 May 6, 2013, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 5, Nays 0; May 6, 2013,
1-6 sent to printer.)

1-7	COMMITTEE VOTE				
1-8		Yea	Nay	Absent	PNV
1-9	Seliger			X	
1-10	Watson	X			
1-11	Birdwell	X			
1-12	Duncan			X	
1-13	Patrick	X			
1-14	West	X			
1-15	Zaffirini	X			

1-16 COMMITTEE SUBSTITUTE FOR S.B. No. 1720 By: Birdwell

1-17 A BILL TO BE ENTITLED
1-18 AN ACT

1-19 relating to the Math and Science Scholars Loan Repayment Program
1-20 for teachers who agree to teach mathematics or science in certain
1-21 school districts in this state.

1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-23 SECTION 1. Chapter 61, Education Code, is amended by adding
1-24 Subchapter II to read as follows:

1-25 SUBCHAPTER II. MATH AND SCIENCE SCHOLARS LOAN REPAYMENT PROGRAM
1-26 Sec. 61.9831. LOAN REPAYMENT ASSISTANCE AUTHORIZED. The
1-27 board shall provide, in accordance with this subchapter and board
1-28 rules, assistance in the repayment of eligible student loans for
1-29 eligible persons who agree to teach mathematics or science for a
1-30 specified period in school districts that receive federal funding
1-31 under Title I, Elementary and Secondary Education Act of 1965 (20
1-32 U.S.C. Section 6301 et seq.).

1-33 Sec. 61.9832. ELIGIBILITY; AGREEMENT REQUIREMENTS.
1-34 (a) To be eligible to receive loan repayment assistance under this
1-35 subchapter, a person must:

1-36 (1) apply annually for the loan repayment assistance
1-37 in the manner prescribed by the board;

1-38 (2) have graduated from high school in this state;

1-39 (3) be a United States citizen;

1-40 (4) have completed an undergraduate or graduate
1-41 program in mathematics or science;

1-42 (5) have a cumulative grade point average of at least
1-43 3.5 on a four-point scale or the equivalent;

1-44 (6) have been employed for at least one year as a
1-45 teacher teaching mathematics or science at a public school located
1-46 in a school district that receives funding under Title I,
1-47 Elementary and Secondary Education Act of 1965 (20 U.S.C. Section
1-48 6301 et seq.);

1-49 (7) not be in default on any other education loan;

1-50 (8) not receive any other state or federal loan
1-51 repayment assistance, including a Teacher Education Assistance for
1-52 College and Higher Education (TEACH) Grant or teacher loan
1-53 forgiveness;

1-54 (9) enter into an agreement with the board under
1-55 Subsection (c); and

1-56 (10) comply with any other requirement adopted by the
1-57 board under this subchapter.

1-58 (b) An initial application for loan repayment assistance
1-59 under this subchapter must include a transcript of the applicant's
1-60 postsecondary coursework.

(c) To receive loan repayment assistance under this subchapter, a person must enter into an agreement with the board that includes the following provisions:

(1) the person will accept an offer of full-time employment to teach mathematics or science, as applicable based on the person's certification, in a public school located in a school district that receives funding under Title I, Elementary and Secondary Education Act of 1965 (20 U.S.C. Section 6301 et seq.);

(2) the person will complete four consecutive years of employment as a full-time classroom teacher in a school described by Subdivision (1) whose primary duty is to teach mathematics or science, as applicable, based on the person's certification;

(3) beginning with the school year immediately following the last of the four consecutive school years described by Subdivision (2), the person will complete four additional consecutive school years teaching in any public school in this state; and

(4) the person acknowledges the conditional nature of the loan repayment assistance.

(d) To satisfy the teaching obligation prescribed by an agreement under this section, a person must teach mathematics or science courses for not less than an average of four hours each school day.

Sec. 61.9833. AWARD. (a) Except as provided by Section 61.9834, the board shall determine the annual amount of loan assistance payments provided under this subchapter in any year to an eligible person, taking into consideration the amount of available funding and other relevant considerations.

(b) The board shall reduce the amount of a single assistance payment or refrain from making a loan assistance payment to an eligible person as necessary to avoid making total payments under this subchapter to the person in an amount greater than the total amount of principal and interest due on the person's eligible loans.

Sec. 61.9834. EXCEPTION TO CONSECUTIVE YEARS OF EMPLOYMENT REQUIREMENT. The board shall excuse an otherwise eligible person from a requirement imposed by Section 61.9832 that the employment qualifying the person for loan repayment assistance be performed in consecutive years if the break in employment is a result of the person's:

(1) full-time enrollment in a course of study related to the field of teaching that is approved by the State Board for Educator Certification and provided by an institution of higher education or by a private or independent institution of higher education in this state;

(2) service on active duty as a member of the armed forces of the United States, including as a member of a reserve or National Guard unit called for active duty;

(3) temporary total disability for a period of not more than 36 months as established by the affidavit of a qualified physician;

(4) inability to secure employment as required by Section 61.9832 for a period not to exceed 12 months, because of care required by a disabled spouse or child;

(5) inability, despite reasonable efforts, to secure, for a single period not to exceed 12 months, employment as required by Section 61.9832; or

(6) satisfaction of the provisions of any other exception adopted by the board for purposes of this section.

Sec. 61.9835. ELIGIBLE LOANS. (a) The board may provide repayment assistance under this subchapter for the repayment of any student loan that:

(1) is for education at a public or private institution of higher education; and

(2) is received by an eligible person through an eligible lender.

(b) If the loan is not a state or federal guaranteed student loan, the note or other writing governing the terms of the loan must require the loan proceeds to be used for expenses incurred by a

person in attending a postsecondary educational institution.

(c) The board may not provide loan repayment assistance under this subchapter for a student loan that is in default at the time of the person's application for repayment assistance.

Sec. 61.9836. PAYMENT OF ASSISTANCE. (a) The board shall pay any loan repayment assistance under this subchapter in a lump sum delivered on the eligible person's behalf directly to the holder of the loan.

(b) Loan repayment assistance provided under this subchapter may be applied to any amount due on the loan.

(c) Each fiscal biennium, the board shall attempt to allocate all money available to the board for the purpose of providing loan repayment assistance under this subchapter.

Sec. 61.9837. MATHEMATICS AND SCIENCE TEACHER INVESTMENT FUND. (a) In this section, "fund" means the mathematics and science teacher investment fund.

(b) The fund is a dedicated account in the general revenue fund and consists of:

(1) gifts, grants, and other donations received for the fund; and

(2) interest and other earnings from the investment of the fund.

(c) The fund may be used only to provide repayment assistance for the repayment of loans eligible under Section 61.9835, including related administrative costs.

(d) The fund is exempt from the application of Sections 403.095 and 404.071, Government Code.

(e) The board may accept grants, gifts, or donations from any public or private entity for the purposes of this subchapter. All money received under this subchapter shall be deposited in the fund.

Sec. 61.9838. AMOUNT OF LOAN REPAYMENT ASSISTANCE.

(a) The total amount of loan repayment assistance paid by the board under this subchapter may not exceed the total amount of money available in the fund under Section 61.9837 and any other money that the board is legally authorized to use for purposes of this subchapter.

(b) Not more than 4,000 eligible persons may be provided loan repayment assistance under this subchapter in any school year.

(b-1) This subsection expires January 1, 2020. Notwithstanding Subsection (b), not more than the following number of eligible persons may be provided loan repayment assistance under this subchapter in the specified school year:

(1) in the 2016-2017 school year, not more than 1,000 eligible persons may be provided loan repayment assistance;

(2) in the 2017-2018 school year, not more than 2,000 eligible persons may be provided loan repayment assistance; and

(3) in the 2018-2019 school year, not more than 3,000 eligible persons may be provided loan repayment assistance.

(c) If in any year the amount of money available for loan repayment assistance under this subchapter is insufficient to provide loan repayment assistance to each eligible applicant or if there are more eligible applicants than the number authorized by this section, the board shall establish criteria to determine which eligible applicants will be provided repayment assistance as the board determines appropriate to further the purposes of this subchapter.

Sec. 61.9839. REPAYMENT BASED ON CONTINUING EMPLOYMENT.

(a) An eligible person may continue to receive loan repayment assistance if the person continues to teach in a public school described by Section 61.9832(a)(6) after the first four years required for eligibility under Section 61.9832(c)(2).

(b) If an eligible person transfers to a public school located in a school district that does not receive funding under Title I, Elementary and Secondary Education Act of 1965 (20 U.S.C. Section 6301 et seq.), after the first four years required for eligibility under Section 61.9832(c)(2), the person may not receive more than 75 percent of the maximum annual amount of the loan repayment assistance as determined by the board.

(c) A person who does not satisfy the applicable conditions of this subchapter after establishing eligibility for an award of loan repayment assistance under this subchapter is no longer eligible to apply for such assistance.

Sec. 61.9840. RULES. The board shall adopt rules necessary for the administration of this subchapter, including a rule providing for:

(1) the manner in which a person may apply for loan repayment assistance; and

(2) a method of awarding assistance under this subchapter that:

(A) gives first priority to applicants who are renewing their applications for loan repayment assistance provided under this subchapter; and

(B) awards any remaining available assistance according to a cumulative ranking system developed by the board based on the number of mathematics and science courses completed by the applicant and the grade received by the applicant for each of those courses.

Sec. 61.9841. APPLICATION FORM. (a) The board shall by rule adopt a common application form for use by new applicants and renewal applicants.

(b) The form must include a section in which the school district for which the applicant has taught for at least one year verifies the applicant's year of employment.

SECTION 2. The Texas Higher Education Coordinating Board shall begin providing loan repayment assistance under Subchapter II, Chapter 61, Education Code, as added by this Act, for eligible persons teaching in the 2016-2017 school year.

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2013.

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